

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Cynthia Lynn Foos,

Civil No. 15-3817 (DWF/LIB)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

United States of America and
Officer Linnes,

Defendants.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois dated January 8, 2016. (Doc. No. 10.) No objections have been filed to that Report and Recommendation in the time period permitted.

The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference. In his Report and Recommendation, Magistrate Judge Brisbois recommended that this case be dismissed without prejudice and that Plaintiff's application to proceed in district court without prepaying fees or cases be denied. Based upon the Report and Recommendation of the Magistrate Judge and upon all of the files, records, and proceedings herein, the Court now makes and enters the following:

ORDER

1. Magistrate Judge Leo I. Brisbois's January 8, 2016 Report and Recommendation (Doc. No. [10]) is **ADOPTED**.
2. This case is **DISMISSED WITHOUT PREJUDICE**.
3. Plaintiff's Application to Proceed in District Court without Prepaying Fees or Costs (Doc. No. [2]) is **DENIED**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 12, 2016

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge